

REMARKS:

Claims 47-48, 50-56, and 58-72 are currently pending in the application.

Claims 1-46, 49, and 57 have been previously canceled without prejudice.

Claims 55-56, 58-62, and 69-70 stand rejected under 35 U.S.C. § 101.

Claims 47-48, 50-54, and 58-72 stand rejected under 35 U.S.C. § 112.

Claims 47-48, 50-56, and 58-72 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,861,885 to Strasnick et al. (hereinafter "Strasnick '885") in view of U.S. Patent No. 6,665,682 to DeKimpe et al. (hereinafter "DeKimpe '682") and in further view of U.S. Patent No. 6,493,728 to Berger (hereinafter "Berger '728").

The Applicants respectfully submit that all of the Applicants arguments are without *prejudice* or *disclaimer*. In addition, the Applicants have merely discussed example distinctions from the cited prior art. Other distinctions may exist, and as such, the Applicants reserve the right to discuss these additional distinctions in a future Response or on Appeal, if appropriate. The Applicants further respectfully submit that by not responding to additional statements made by the Examiner, the Applicants do not acquiesce to the Examiner's additional statements. The example distinctions discussed by the Applicants are considered sufficient to overcome the Examiner's rejections.

I. Formalities Rejections

A. 35 U.S.C. § 101 Rejections

In rejecting Claims 55-56, 58-62 and 69-70 under 35 U.S.C. § 101 as being directed to non-statutory subject matter, the Examiner states:

Claim 55 recites "Software for providing a computer graphical user interface...when executed operable to: store...provide..." Computer programs claimed as computer listing per se, i.e., the description or

expression of the programs, are not physical things. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

The Applicants respectfully disagree and respectfully traverse the Examiner's rejection of Claims 55-56, 58-62 and 69-70 under 35 U.S.C. § 101.

Applicants Claims Recite Statutory Subject Matter According to State Street

In *State Street Bank & Trust Co. v. Signature Financial Group Inc.*, 149 F.3d 1368 (Fed. Cir. 1998), the Federal Circuit held that even purely mathematical algorithms are patentable if they are applied in a useful way. Applicants claims, in this case are applied in a useful way – providing a computer graphical user interface - and are therefore statutory under the governing law. Accordingly, reconsideration of the Examiner's rejections is respectfully requested.

In *State Street*, the Federal Circuit stated that "Unpatentable mathematical algorithms are identifiable by showing they are merely abstract ideas constituting disembodied concepts or truths that are not 'useful'." *Id.* at 1373. "To be patentable, an algorithm must be applied in a 'useful' way." *Id.* Furthermore, the Federal Circuit noted: "the mere fact that a claimed invention involves inputting numbers, calculating numbers, outputting numbers, and storing numbers, in and of itself, would not render it nonstatutory subject matter, unless, of course, its operation does not produce a 'useful, concrete and tangible result.'" *Id.* The court in *State Street* went on to hold that "the transformation of data, representing discrete dollar amounts, by a machine through a series of mathematical calculations into a final share price, constitutes a practical application of a mathematical algorithm . . . because it produces a 'useful, concrete and tangible result' - a final share price momentarily fixed . . ." *Id.*

Applicants Claims Produce Useful, Concrete, and Tangible Results

The Applicants respectfully submit that Claims 55-56, 58-62 and 69-70 likewise produce useful, concrete and tangible results. For example, Claims 55-56, 58-62 and 69-70 recite Software for providing a computer graphical user interface. Providing a

computer graphical user interface is certainly a useful, concrete and tangible result. Again, providing a computer graphical user interface is certainly a useful, concrete and tangible result.

In addition, the Applicants respectfully direct the Examiner's attention to the Federal Circuit decision of *In Re Beauregard*, 53 F.3d 1583 (Fed. Cir. 1995), in which the Commissioner of the United States Patent and Trademark Office ("PTO") is quoted as stating, "Computer programs embodied in a tangible medium, such as floppy diskettes, **are patentable subject matter** under 35 U.S.C. § 101 and **must be examined** under 35 U.S.C. 102 and 103." *Id.* at 1584. (Emphasis added.) Claim 55 recites software for providing a computer graphical user interface, the software being embodied in a computer-readable medium and thus is also statutory for at least this reason (in addition to its recitation of a useful, concrete and tangible result).

For at least these reasons, Applicants respectfully submit that Claims 55-56, 58-62 and 69-70 are directed to statutory subject matter. The Applicants further respectfully submit that Claims 55-56, 58-62 and 69-70 are in condition for allowance. Therefore, the Applicant respectfully requests that the rejection of Claims 55-56, 58-62 and 69-70 under 35 U.S.C. § 101 be reconsidered and that Claims 55-56, 58-62 and 69-70 be allowed.

B. 35 U.S.C. § 112 ¶ 1 Rejections

Claims 47-48, 50-56 and 58-72 stand rejected under 35 U.S.C. § 112, paragraph 1 because the claims "contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention." (8 January 2008 Office Action, Page 13.) Applicants respectfully disagree with the Examiner's assertion that the claimed subject matter is "confusing, ambiguous and...not described in the specification in such a way as to enable one skilled in the art to which it pertains...to make and/or use the invention." (*Id.*)

The Applicants respectfully submit that the Office Action fails to establish a *prima facie* case of failure to comply with the enablement requirement. For example, the test for determining whether a claimed invention is properly **enabled** by the specification has been well-established: "Is the experimentation needed to practice the invention undue or unreasonable?" MPEP 2164.01, citing *Mineral Separation v. Hyde*, 242 U.S. 261, 270 (1916), and *In re Wands*, 858 F.2d 731, 737, 8 USPQ2d 1400, 1404 (Fed. Cir. 1988). The MPEP provides several factors for making an analysis of the undue experimentation question:

There are many factors to be considered when determining whether there is sufficient evidence to support a determination that a disclosure does not satisfy the enablement requirement and whether any necessary experimentation is "undue." These factors include, but are not limited to:

- (A) The breadth of the claims;
- (B) The nature of the invention;
- (C) The state of the prior art;
- (D) The level of one of ordinary skill;
- (E) The level of predictability in the art;
- (F) The amount of direction provided by the inventor;
- (G) The existence of working examples; and
- (H) The quantity of experimentation needed to make or use the invention based on the content of the disclosure. (see MPEP 2164.01(a)).

The MPEP clearly states that each of these factors should be considered when making an analysis of undue experimentation:

It is improper to conclude that a disclosure is not enabling based on an analysis of only one of the above factors while ignoring one or more of the others. The examiner's analysis must consider all the evidence related to each of these factors, and any conclusion of nonenablement must be based on the evidence as a whole. *Id.*, referencing *In re Wands*, 858 F.2d 731, 737, 740, 8 USPQ2d 1400, 1404, 1407 (Fed. Cir. 1988).

Thus, based on the guidelines set forth in the MPEP, a proper analysis should be based on evidence related to each of the above factors. However, the Office Action fails to provide any of the analysis required by the MPEP. For example, the MPEP requires that evidence related to each of the above factors **must** be considered; however, the Office Action fails to mention these factors, and certainly provides no reasoning or analysis based on each of the factors.

It is also well-established that the Examiner bears the initial burden of providing the appropriate support for establishing a *prima facie* case in rejecting an application. As stated by the Federal Circuit, “[i]f examination at the initial stage does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to grant of the patent.” *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). Since the Office Action fails to provide any of the requisite analysis for supporting this rejection, it is respectfully submitted that the rejection is improper and should be withdrawn.

In light of the discussion above, it is respectfully requested that the rejection of Claims 47-48, 50-56 and 58-72 under 35 U.S.C. § 112 be reconsidered and withdrawn.

II. Art Rejections

Pending Claims 47-48, 50-56, and 58-72 stand rejected under 35 U.S.C. § 103(a) based on U.S. Patent No. 5,861,885 to Strasnick et al. (hereinafter “Strasnick ‘885”) in view of U.S. Patent No. 6,665,682 to DeKimpe et al. (hereinafter “DeKimpe ‘682”) further in view of U.S. Patent No. 6,493,728 to Berger (hereinafter “Berger ‘728”).

As discussed in detail below, each pending Claims 47-48, 50-56, and 58-72 includes elements not disclosed or suggested by the references. Accordingly, Applicants respectfully request the rejections under 35 U.S.C. § 103(a) be withdrawn.

A. 35 U.S.C. § 103(a) Rejections in view of Strasnick ‘885 in view of DeKimpe ‘682 further in view of Berger ‘728

In rejecting independent Claim 1 under 35 U.S.C. § 103(a) as anticipated by Strasnick ‘885 in view of DeKimpe ‘682 further in view of Berger ‘728, the Examiner states the following:

Strasnick teaches a computer graphical user interface system (See the abstract; figure 13; column 6) comprising:

A database operable to store hierarchically organized data associated with a multi-dimensional hierarchy of data (column 7-8) and display the multi-dimensional hierarchy of data to a user (Figs. 1-7);

A multi-dimensional graphical user interface coupled to the database and capable of user interaction to provide a multi-dimensional user interactive graph (e.g., column 7 and 8) comprising:

A multi-dimensional axes data hierarchy (e.g. figures 1-7; column 1, 6-7 and 16) including a top layer hierarchy associated with a first axis dimension (e.g., departments or departments cells; see column 7-8), a top layer hierarchy associated with a second axis dimension (e.g., Figs. 14-18 and column 21-22, for example, the attributes associated with ALL quarters that include the children cells/quarters); and a unique bottom layer hierarchy (children cells) including a plurality of function values associated with each of the top layer hierarchies of the multi-dimensional axes data hierarchy; and a multi-dimensional axes data hierarchy (e.g., in a non-limiting example, cells representing the salespersons' sales an axis has been taught in figures 1-7 and column 1 and 16 wherein the parent member being in a department cell in the department level being the parent of all the salespersons cells belonging to the department; column 7-8); and the children cells are the salespersons cells belonging to the department; see for example, column 7-8, lines 10-30 and the children salespersons cells representing the disaggregation of the department cell to which they belong. Strasnick teaches in column 7-8 and 19-22 a user selection of a cell to which they belong. Strasnick teaches in column 7-8 and 19-22 a user selection of a cell representing the company's total sales (a company cell) and all the sub-cells or children cells representing the departments' sales (the department cells) wherein the department cells emanate from the company cell and also all the sub-cells or children cells representing the salespersons' sales (the salesperson cells) wherein the salespersons' cells emanated from one of the departments' cells. Strasnick teaches warp navigation in which a navigator warps to the hierarchical dependents or children such as the department cells in the first level in response to the selection by the navigator from the company cell. Strasnick teaches warp navigation in which a navigator warps to the departments' cells in the first level in response to the selection by the navigator from the company cell.

Strasnick thus teaches, in response to the user selection of the departments' cells in the first level for display of departments' sales data with respect to the x-axis by a warp navigator from the company cell, display on the graph the departments' sales data or departments' cells in the first level. Strasnick also teaches warp navigation in which a navigator warps to the salespersons' cells in the second level in response to the selection by the navigator from one of the departments' cells. Strasnick discloses, in response to a user selection of the second level or display of salespersons' sales data with respect to the x-axis from a department cell by the warp navigator, display on the graph the salespersons' sales data or the salespersons' cells in the second level. Strasnick further discloses

navigation and visualization in the 3D layout space wherein each dimension has the hierarchical structure of data attributes; see Fig. 7 and 14-18 and column 21-22 where in the x-axis and y-axis dimensions are represented by the rows and columns and further the y-axis dimensions are represented by the rows and columns and further the y-axis dimension has a hierarchical structure of displayed objects similar to the x-axis. The z-axis is associated with the filter levels and heights that are selectable data objects/blocks.

Applicants respectfully disagree with all of the above and respectfully traverse the Examiner's rejection of Claims 47-48, 50-56, and 58-72 under 35 U.S.C. § 103(a). Among other things, Strasnick '885 does not disclose the following as required in independent Claim 47:

- a database operable to store hierarchically organized data associated with a multi-dimensional hierarchy of data; and

- a multi-dimensional graphical user interface coupled to the database and capable of user interaction to provide a multi-dimensional user interactive graph comprising:

- a multi-dimensional axes data hierarchy including a top layer hierarchy associated with a first axis dimension, a top layer hierarchy associated with a second axis dimension, and a top layer hierarchy associated with a third axis dimension; and

- a unique bottom layer hierarchy including a plurality of function values associated with each of the top layer hierarchies of the multi-dimensional axes data hierarchy; and

- a multi-dimensional value hierarchy associated with each of the function values of the multi-dimensional axes data hierarchy.

Specifically, Strasnick '885 does not disclose a **"multi-dimensional axes data hierarchy** including a top layer hierarchy associated with **a first axis dimension**, a top layer hierarchy associated with **a second axis dimension**, and a top layer hierarchy associated with **a third axis dimension"** or a **"unique bottom layer hierarchy including a plurality of function values associated with each of the top layer hierarchies** of the multi-dimensional axes data hierarchy." Rather, *Strasnick* discloses a navigation system containing graphical objects and uses the term "axis" in association with the navigation system. (Abstract and Column 1, Lines 40-50). *Strasnick* only uses the term axis to refer to an x axis width and a y axis height of one or more graphical objects in the display such

that **a navigator may alter the navigator's perspective of the information landscape by adjusting the x or horizontal dimension relative to the viewpoint of the navigator.** (Column 16, Lines 33-63). *Strasnick* does not disclose, teach, or suggest a multi-dimensional axes data hierarchy, or even a navigation system that is capable of including a unique bottom layer hierarchy including a plurality of function values associated with each of the top layer hierarchies associated with multiple axis dimensions. Thus, *Strasnick* cannot provide a **"multi-dimensional axes data hierarchy** including a top layer hierarchy associated with **a first axis dimension**, a top layer hierarchy associated with **a second axis dimension**, and a top layer hierarchy associated with **a third axis dimension"** or even a **"unique bottom layer hierarchy including a plurality of function values associated with each of the top layer hierarchies** of the multi-dimensional axes data hierarchy", since *Strasnick* merely describes adjusting the perspective of the information landscape by adjusting the x or horizontal dimension relative to the viewpoint of the navigator.

The Office Action Fails to Properly Establish a *Prima Facie* case of Obvious over the Proposed Strasnick '885 - DeKimpe '682 - Berger '728 Combination According to the UPSTO Examination Guidelines

The Applicants respectfully submit that the Office Action fails to properly establish a *prima facie* case of obviousness based on the proposed combination of Strasnick '885, DeKimpe '682, or Berger '728, either individually or in combination, and in particular, the Office Action fails to establish a *prima facie* case of obviousness based on the "Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in View of the Supreme Court Decision in *KSR International Co. v. Teleflex Inc.*" (the "Guidelines").

As reiterated by the Supreme Court in *KSR International Co. v. Teleflex Inc.* (*KSR*), the framework for the objective analysis for determining obviousness under 35 U.S.C. 103 is stated in *Graham v. John Deere Co.* (383 U.S. 1, 148 USPQ 459 (1966)). Obviousness is a question of law based on underlying factual inquiries. These factual inquiries enunciated by the Court are as follows:

- (1) Determining the scope and content of the prior art;

- (2) Ascertaining the differences between the claimed invention and the prior art; and
- (3) Resolving the level of ordinary skill in the pertinent art.

(Notice, 72 Fed. Reg. 57527 (Oct. 10, 2007)). Objective evidence relevant to the issue of obviousness must be evaluated by Office personnel. (383 U.S. 17–18, 148 USPQ 467 (1966)). As stated by the Supreme Court in *KSR*, “While the sequence of these questions might be reordered in any particular case, the [*Graham*] factors continue to define the inquiry that controls.” (*KSR*, 550 U.S. at ___, 82 USPQ2d at 1391).

However, it is important to note that the Guidelines require that Office personnel “**ensure that the written record includes findings of fact** concerning the state of the art and the teachings of the references applied. (Notice, 72 Fed. Reg. 57527 (Oct. 10, 2007)). In addition, the Guidelines remind Office personnel that the “**factual findings made by Office personnel are the necessary underpinnings to establish obviousness.**” (*id.*). Further, “**Office personnel must provide an explanation to support an obviousness rejection** under 35 U.S.C. 103. (*id.*). In fact, “35 U.S.C. 132 requires that the applicant be notified of the reasons for the rejection of the claim so that he or she can decide how best to proceed” and “clearly setting forth findings of fact and the rationale(s) to support a rejection in an Office action leads to the prompt resolution of issues pertinent to patentability.” (*id.*).

With respect to the subject application, the Office Action has not shown the **factual findings necessary to establish obviousness** or even **an explanation to support the obviousness rejection** based on the proposed combination of Strasnick '885, DeKimpe '682, and Berger '728. The Office Action merely states that “it would have been obvious to one of the ordinary skill in the art at the time of invention was made to incorporate DeKimpe or Berger’s multi-dimensional user graphical interface”. (8 January 2008 Office Action, Page 26). The Applicants respectfully disagree and respectfully submit that the Examiner’s conclusory statement is not sufficient to establish the **factual findings necessary to establish obviousness** and is not a sufficient **explanation to support the obviousness rejection** based on the proposed combination of Strasnick '885, DeKimpe '682, and Berger '728.

The Guidelines further provide guidance to Office personnel in “determining the scope and content of the prior art” such as, for example, “Office personnel must first obtain a thorough understanding of the invention disclosed and claimed in the application.” (Notice, 72 Fed. Reg. 57527 (Oct. 10, 2007)). The scope of the claimed invention must be clearly determined by giving the claims the “broadest reasonable interpretation consistent with the specification.” (See *Phillips v. AWH Corp.*, 415 F.3d 1303, 1316, 75 USPQ2d 1321, 1329 (Fed. Cir. 2005) and MPEP § 2111.). In addition, the Guidelines state that any “**obviousness rejection should include**, either explicitly or implicitly in view of the prior art applied, **an indication of the level of ordinary skill.**” (Notice, 72 Fed. Reg. 57528 (Oct. 10, 2007)). With respect to the subject Application, the Office Action has not provided **an indication of the level of ordinary skill.**

The Guidelines still further provide that once the *Graham* factual inquiries are resolved, Office personnel must determine whether the claimed invention would have been obvious to one of ordinary skill in the art. (*Id.*). For example, the Guidelines state that **Office personnel must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art.** (*Id.*). In addition, the Guidelines state that the proper analysis is **whether the claimed invention would have been obvious to one of ordinary skill in the art after consideration of all the facts.** (*Id.* and See 35 U.S.C. 103(a)).

With respect to the subject Application, the Office Action has not expressly resolved any of the *Graham* factual inquiries to determine whether Applicants invention would have been obvious to one of ordinary skill in the art. In addition, the Office Action fails to **explain why the difference(s) between the proposed combination of Strasnick ‘885, DeKimpe ‘682, Berger ‘728, and the Applicants claimed invention would have been obvious to one of ordinary skill in the art.** The Office Action merely states that “because Strasnick’s multi-dimensional data hierarchy and drilling up and down the hierarchical structure and thus suggests drilling up and down multi-dimensional hierarchies including the three-dimensional layout of the hierarchical structures of displayed objects.” (8 January 2008 Office Action, Page 26). The Applicants respectfully disagree and further respectfully request clarification as to how this statement **explains why the difference(s)**

between the proposed combination of Strasnick '885, DeKimpe '682, Berger '728, and the Applicants claimed invention would have been obvious to one of ordinary skill in the art. The Applicants further respectfully submit that the Examiner is using the subject Application as a template to formulate reconstructive hindsight, which constitutes impermissible use of hindsight under 35 U.S.C. § 103(a).

The Guidelines yet further state that the “key to supporting any rejection under 35 U.S.C. 103 is the **clear articulation of the reason(s) why the claimed invention would have been obvious.**” (Notice, 72 Fed. Reg. 57528 (Oct. 10, 2007)). In fact, the Supreme Court in *KSR* noted that “**the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit.**” (*id.*). The Court quoting *In re Kahn* (441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006)), stated that “[R]ejections on **obviousness cannot be sustained by mere conclusory statements**; instead, there **must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.**” (*KSR*, 550 U.S. at ___, 82 USPQ2d at 1396). The Guidelines provide the following seven rationales:

- (A) Combining prior art elements according to known methods to yield predictable results;
- (B) Simple substitution of one known element for another to obtain predictable results;
- (C) Use of known technique to improve similar devices (methods, or products) in the same way;
- (D) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results;
- (E) “Obvious to try”—choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success;
- (F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art;
- (G) Some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention.

The Applicants respectfully submit that the **Office Action fails to provide any articulation, let alone, clear articulation of the reasons why the Applicants claimed**

invention would have been obvious. For example, the ***Examiner has not adequately supported the selection and combination of Strasnick '885, DeKimpe '682, and Berger '728 to render obvious the Applicants claimed invention.*** The Examiner's unsupported conclusory statements that "it would have been obvious to one of the ordinary skill in the art at the time of invention was made to incorporate DeKimpe or Berger's multi-dimensional user graphical interface" and "because Strasnick's multi-dimensional data hierarchy and drilling up and down the hierarchical structure and thus suggests drilling up and down multi-dimensional hierarchies including the three-dimensional layout of the hierarchical structures of displayed objects", ***does not adequately provide clear articulation of the reasons why the Applicants claimed invention would have been obvious.*** (8 January 2008 Office Action, Page 26). In addition, the Examiner's unsupported conclusory statement fails to meet any of the Guidelines rationales to render obvious the Applicants claimed invention.

Thus, if the Examiner continues to maintain the obvious rejection based on the proposed combination of Strasnick '885, DeKimpe '682, and Berger '728, ***the Applicants respectfully request that the Examiner provide proper support for the obviousness rejection under 35 U.S.C. 103 as necessitated by the Guidelines, including an explicit analysis of the rationale relied upon by the Examiner.***

The Applicants Claims are Patentable over the Proposed Strasnick-DeKimpe-Lokken Combination

The Applicants respectfully submit that independent Claims 55 and 63 are considered patentably distinguishable over the proposed combination of Strasnick '885, DeKimpe '682, or Berger '728 for at least the reasons discussed above in connection with independent Claim 47.

With respect to dependent Claims 48, 50-54, 56, 58-62, and 64-72: Claims 48, 50-54, 67, and 68 depend from independent Claim 47; Claims 56, 58-62, 69, and 70 depend from independent Claim 55; and Claims 64-66, 71, and 72 depend from independent Claim 63. As mentioned above, each of independent Claims 55 and 63 include limitations similar to those discussed above in connection with independent Claim 47. Thus,

dependent Claims 48, 50-54, 56, 58-62, and 64-72 are considered patentably distinguishable over the proposed combination of Strasnick '885, DeKimpe '682, or Berger '728 for at least the reasons of depending from an allowable claim and are therefore considered to be in condition for allowance.

For at least the reasons set forth herein, the Applicants respectfully submit that Claims 47, 48, 50-56, and 58-72 are not rendered obvious by the proposed combination of Strasnick '885, DeKimpe '682, or Berger '728, or in knowledge generally available to those of ordinary skill in the art at the time of the invention, and are in condition for allowance. Thus, the Applicants respectfully request that the rejection of Claims 47, 48, 50-56, and 58-72 under 35 U.S.C. § 103(a) be reconsidered and that Claims 47, 48, 50-56, and 58-72 be allowed.

CONCLUSION:

In view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and early reconsideration and a Notice of Allowance are earnestly solicited.

Although the Applicants believe no fees are deemed to be necessary; the undersigned hereby authorizes the Commissioner to charge any additional fees which may be required, or credit any overpayments, to **Deposit Account No. 500777**. If an extension of time is necessary for allowing this Response to be timely filed, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) to the extent necessary. Any fee required for such Petition for Extension of Time should be charged to **Deposit Account No. 500777**.

Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

Respectfully submitted,

7 April 2008

Date

/Steven J. Laureanti/signed

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